

SECRET

23 August 1957

MEMORANDUM FOR THE RECORD

SUBJECT: Classification Status of SO Information Made Public by
Drew Pearson

1. At 1445 hours on 22 August 1957 in [redacted] Mr. John S. Warner, [redacted] and [redacted] not to discuss the classification status of information revealed recently by Drew Pearson on a television program. The information in question was that which Mr. Pearson attributed [redacted], a document disseminated by CIA in 1949 as SECRET information.

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2. The case involved whether or not Drew Pearson could be prosecuted for revealing classified information. Mr. Warner (Office of General Counsel) and [redacted] (Office of Security) wanted to determine whether the legitimacy of any claimed classification of the revealed material would hold up under the criterion that it was classified because it "affected the National defense". [redacted] (Far East Division), representing the office that originated the document, was asked to state whether or not the information was classified at the time of its revelation in terms of its effect upon the clandestine services and "the national defense".

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3. [redacted] read a transcript of what Mr. Pearson said [redacted] during the broadcast in question. [redacted] stated that although [redacted] had never been declassified by the Far East Division and was thus technically still classified SECRET, the statements made by Mr. Pearson regarding the content [redacted] could not be considered classified in the sense that they revealed information which would affect the clandestine services in such a way as to "affect the national defense".

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4. Mr. Warner said that the essence of this statement and its effect upon the case against Mr. Pearson would be incorporated in a memorandum written by [redacted] and coordinated with [redacted] Chief, Foreign Intelligence SD/P.

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cc: General Counsel, Mr. Warner
cc: SD/Security (FIS) [redacted]

[redacted]
Chief, FI [redacted]

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SECRET

Executive Registry
9-6292

VIA LIAISON

The Director
Federal Bureau of Investigation
10th and Pennsylvania Avenue, N. W.
Washington 25, D. C.

Attention: Mr. Sam Papich

Dear Sir:

25X1 In your letter of 2 August 1957 you requested certain
25X1 information concerning the Central Intelligence Agency's
25X1 report No. [redacted] quoted by Mr. Drew Pearson in his
[redacted] You are advised that the disseminated
copies [redacted] consisted of only one page per copy and were
prepared on a ditto process with the classification "SECRET"
appearing in ditto on each copy of the report.

25X1 The report and the information contained therein had
not been declassified as of 16 June 1957. However, after a
careful review we have determined that the information quoted
by Mr. Pearson, standing by itself, does not contain information
relating to the national defense as of the date of disclosure,
that is [redacted]

In connection with your request for the identity of the
individual who could testify concerning the classification of the
specific report and whether or not it contained information
relating to the national defense, you are advised that there
are a number of individuals who could testify. Since some of
these individuals are assigned to different locations from time
to time, the names are not being furnished at this time although

SECRET

we would be pleased to make an individual available at your convenience if you so desire.

If there are any further questions on this subject, we shall be pleased to assist you upon request.

Sincerely,

/s/

Sheffield Edwards
Director of Security

CONCURRENCE:

S/

23 AUG 1957

JOHN S. WARNER
Acting General Counsel

Approved

1s/ CPC
27 Aug 57

(2)

AUG 23 1957

25X1

[Redacted]

Chief, Foreign Intelligence

25X1

OS;DD/PPS; [Redacted] rj

OGC:JSW:jeb

cc: Director of Security (2) w/basic
Chief, Foreign Intelligence
General Counsel

cc: FE/2/Intelligence/w/ Mull

SECRET

MEMORANDUM FOR: **ACTING DIRECTOR**
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In accordance with our discussion, this matter has been reviewed with DD/P and Security and it has been agreed that the information quoted by Drew Pearson

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need not be considered classified.

We have answered the Bureau query on this point utilizing the exact language of their question.

In view of our answer it is assumed that the Bureau would take no further action on the case. The Chief, FI and the Security Office have seen and approved this reply to the Bureau.

Recommend you approve sending of the proposed letter.

23 August 1957

(DATE)

Acting General Counsel

MEMORANDUM FOR: THE ACTING DIRECTOR
(FOR CONCURRENCE)

Attached is a proposed reply prepared by Colonel Edwards to the FBI query concerning the Drew Pearson telecast. I concur in the letter.

Of particular interest is the third question as to whether or not the information can be declassified. Although this is a problem, the larger problem is the probable extent of information to be developed either on direct or cross-examination in the event of prosecution. With this in mind, we are proposing discussion with

MEMORANDUM FOR: THE ACTING DIRECTOR

the Department of Justice. Colonel Edwards will deliver the letter to Sam Papich by hand.

I am informed that Mr. Dulles is very 25X1 concerned with the thought of prosecution.

JOHN S. WARNER
Acting General Counsel

*Second page will
be retyped prior
to distribution*

19 August 1957
(DATE)

Approved For Release 2004/05/12 : CIA-RDP62-00631R000400050023-

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
<input type="checkbox"/>	UNCLASSIFIED	<input type="checkbox"/>	CONFIDENTIAL
<input type="checkbox"/>		<input checked="" type="checkbox"/>	SECRET
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	INITIALS	DATE
1	Mr. Warner		
2			
3			
4			
5			
6			
<input type="checkbox"/>	ACTION	<input type="checkbox"/>	DIRECT REPLY
<input type="checkbox"/>	APPROVAL	<input type="checkbox"/>	DISPATCH
<input type="checkbox"/>	COMMENT	<input type="checkbox"/>	FILE
<input type="checkbox"/>	CONCURRENCE	<input type="checkbox"/>	INFORMATION
<input checked="" type="checkbox"/>		<input type="checkbox"/>	PREPARE REPLY
<input type="checkbox"/>		<input checked="" type="checkbox"/>	RECOMMENDATION
<input type="checkbox"/>		<input type="checkbox"/>	RETURN
<input type="checkbox"/>		<input type="checkbox"/>	SIGNATURE

Remarks:

Per phone conversation

FOLD HERE TO RETURN TO SENDER

FROM: NAME, ADDRESS AND PHONE NO.

DATE

DEPUTY DIRECTOR

CP

21 Aug

Approved For Release 2004/05/12 : CIA-RDP62-00631R000400050023-

COURIER'S CLASSIFIED MAIL RECEIPT		NO. <i>000 7-13512</i>
TO <i>C/FI 10674</i>	DATE OF PICK-UP <i>8/23/57</i>	
FROM <i>000 221 East</i>		
TYPE OF MATERIAL		
SIGNATURE OF RECIPIENT		TIME RECEIVED
SIGNATURE OF COURIER <i>EP</i>		TIME OF PICK-UP <i>1000</i>

FORM NO. 240 REPLACES FORM 35-16
1 MAY 55 WHICH MAY BE USED.

VIA LIAISON

**The Director
Federal Bureau of Investigation
10th and Pennsylvania Avenue, N. W.
Washington 25, D. C.**

Attention: Mr. Sam Papich

Dear Sir:

The answers to the questions raised in your letter of 2 August 1957 on the subject of the Drew Pearson telecast of 16 June 1957 are as follows:

Question: Whether the disseminated copies of the report contained a security classification stamp, and whether the particular page of the report from which Mr. Pearson quoted contained a security classification stamp. (The FBI copy of the report contains only one page.)

Answer: Disseminated copies [] were prepared on a ditto process with the classification appearing in ditto on all copies of the report.

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Question: Whether the information quoted by Pearson, standing by itself, contained information relating to the national defense as of the date of disclosure, []

25X

Answer: Yes.

Question: Whether the information disclosed can be declassified in the event of prosecution.

Answer: The answer to this question involves other aspects concerning which we would like to discuss with your representatives and appropriate representatives of the Department of Justice.

In connection with your request for the identify of the individual who could testify concerning the classification of the specific report and whether or not it contained information relating to the national defense, you are advised that there are a number of individuals who could testify. Due to timing and other circumstances relating to a possible prosecution, we are not in a position to name now the specific individual who would be available for this purpose.

If I can be of further help, please let me know.

Sincerely,

Sheffield Edwards
Director of Security

CONCURRENCES:

C. P. Cabell
Lieutenant General, USAF
Acting Director

Date

(2) _____
Acting General Counsel

Date

Distribution:

Orig & 1 - Addressee
1 - ADCI
1 - ER
1 - C/PerSD
1 - OGC
2 - OS

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AT

MEMORANDUM FOR: THE ACTING DIRECTOR

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(S)
JOHN S. WARNER
Acting General Counsel

19 August 1957
(DATE)

ROUTING AND RECORD SHEET

FE-3585

SUBJECT: (Optional)

FROM:

25X1

25X1

NO.

09C - 7-1453

MEMORANDUM FOR THE RECORD

DATE

23 August 1957

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

REC'D

FWD'D

1.

Office of General Counsel

2.

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Attn: Mr. Warner

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